

## **Testate succession - Summary**

The purpose of my diploma thesis is to analyse testamentary succession in Czech legal order according to the effective Civil Code (40/1964 Sb.) and the newly enacted New Civil Code (89/2012 Sb.), while performing their comparison and focuses on the implications for the recipients. The thesis is not limited to the succession title as a will but analyses other inheritance assumptions and some related legal institutes as well. The thesis is composed of four chapters, each of them dealing with different aspects of heirship and acquisition of property by inheritance.

Chapter One is introductory, common to both testamentary and intestate succession and it is subdivided into four parts. Part One takes acquaintance of the concept of Czech inheritance law, including its purpose, use of heirship and basic terminology used in the thesis. Part two describes the sources and basic principles which the Czech inheritance law system consists in and Part Three deals with inheritance assumptions relevant to acquisition of inheritance, especially heir capacity to inherit.

Chapter Two consists of four parts, in a row dealing with intestate succession, testamentary succession, heritage contract and other testamentary dispositions and points circumstances of their application.

Chapter Three focuses on the point of the thesis – will. The chapter is subdivided into eleven parts. Parts One and Two define a concept of will and its purpose while next part introduces essential elements of testament. Parts Four and Five concentrate to decedent capacity to make a will (especially freewill) and Part Six provides an outline of permissible forms of will. Parts Seven and Eight illustrate the content essential elements such as heir or heir's share determination and allowed optional elements of a will. Part Nine explains the protection of a forced heir, Part Ten provides options of testament deposition and finally last part appoints the variants of revocation of the last will.

Final chapter Four concentrates on the New Civil Code and describes expected changes in a field of testate succession in relation to strengthening of testator's will provided.